

Message Text

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EO 11652: N/A

TAGS: PLOS

SUBJ: - ECONOMIC ZONE: SUPPLEMENT TO MIDSESSION REPORT

1. THE FOLLOWING ARE THE LATEST (USUALLY FIFTH REVISION)
TEXTS ON THE ECONOMIC ZONE PREPARED BY THE CHAIRMAN OF
THE INFORMAL JURIDICAL EXPERTS (EVENSEN) GROUP:

BEGIN TEXT: THE ECONOMIC ZONE

GENERAL PROVISIONS

ARTICLE 1 (PREVIOUS ARTICLE 11) (CORR. 1)

1. THE COASTAL STATE HAS IN AN AREA BEYOND AND ADJACENT TO
ITS TERRITORIAL SEA, KNOWN AS THE EXCLUSIVE ECONOMIC ZONE:

(A) SOVEREIGN RIGHTS THROUGHOUT THE AREA FOR THE
PURPOSE OF EXPLORING AND EXPLOITING, CONSERVING AND MANAGING
THE NATURAL RESOURCES, WHETHER RENEWABLE OR NON-RENEWABLE,
OF THE SEABED AND SUBSOIL AND THE SUPERJACENT WATERS;

(B) RIGHTS WITH REGARD TO OTHER ACTIVITIES FOR THE
ECONOMIC EXPLORATION AND EXPLOITATION OF THE ZONE, SUCH AS
THE PRODUCTION OF ENERGY FROM THE WATER, CURRENTS AND WINDS.

(C) JURISDICTION AS PROVIDED FOR IN THIS CONVENTION
WITH REGARD TO:

- (I) THE PRESERVATION OF THE MARINE ENVIRONMENT,
- (II) SCIENTIFIC RESEARCH,
- (III) THE ESTABLISHMENT AND USE OF ARTIFICIAL

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ISLANDS, INSTALLATIONS AND SIMILAR STRUCTURES,
INCLUDING CUSTOMS, FISCAL, HEALTH AND IMMIGRATION
REGULATIONS PERTAINING THERETO, #

(D) OTHER RIGHTS AND DUTIES PROVIDED FOR IN THIS
CONVENTION.

THE ISSUE OF CONTIGUOUS ZONE FOR THE PURPOSE OF
CUSTOMS, FISCAL, HEALTH AND IMMIGRATION REGULATIONS WOULD
BE DEALT WITH ELSEWHERE.

2. IN EXERCISING ITS RIGHTS AND PERFORMING ITS DUTIES
UNDER THIS CONVENTION, THE COASTAL STATE SHALL HAVE DUE

REGARD TO THE RIGHTS AND DUTIES OF OTHER STATES IN THE ECONOMIC ZONE.

3. THE RIGHTS SET OUT IN THIS ARTICLE SHALL BE WITHOUT PREJUDICE TO THE PROVISIONS OF ARTICLES OF THIS CONVENTION. ##

ARTICLE 2 (PREVIOUS ARTICLE 12)

THE ECONOMIC ZONE SHALL NOT EXTEND BEYOND 200 NAUTICAL MILES FROM THE BASELINE FROM WHICH THE BREADTH OF THE TERRITORIAL SEA IS MEASURED.

THE BASIC ARTICLES CONCERNING THE CONTINENTAL SHELF.

ARTICLE 3 (PREVIOUS ARTICLE 13)

1. ALL STATES, WHETHER COASTAL OR LANDLOCKED, SHALL ENJOY IN THE ECONOMIC ZONE THE FREEDOMS OF NAVIGATION AND OVER-FLIGHT AND OF THE LAYING OF CABLES AND PIPELINES, AND OF OTHER USES OF THE SEA RELATED TO NAVIGATION AND COMMUNICATION, SUBJECT TO THE PROVISIONS OF THIS CONVENTION.

2. THE PROVISIONS OF ARTICLES SHALL APPLY TO THE CONDUCT OF SCIENTIFIC RESEARCH IN THE ECONOMIC ZONE.

3. IN CASES WHERE THE CONVENTION DOES NOT ATTRIBUTE RIGHTS OR JURISDICTION TO THE COASTAL STATE OR TO OTHER LIMITED OFFICIAL USE
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STATES WITHIN THE ECONOMIC ZONE, AND A CONFLICT ARISES BETWEEN THE INTERESTS OF THE COASTAL STATE AND ANY OTHER STATE OR STATES, THE CONFLICT SHOULD BE RESOLVED ON THE BASIS OF EQUITY AND IN THE LIGHT OF ALL THE RELEVANT CIRCUMSTANCES, TAKING INTO ACCOUNT THE RESPECTIVE IMPORTANCE TO THE PARTIES OF THE INTERESTS INVOLVED AS WELL AS TO THE INTERNATIONAL COMMUNITY AS A WHOLE.

4. THE LAYING AND MAINTENANCE OF SUBMARINE CABLES AND PIPELINES ON THE SEABED SHALL BE SUBJECT TO THE PROVISIONS OF ARTICLE

5. IN EXERCISING THEIR RIGHTS AND PERFORMING THEIR DUTIES UNDER THIS CONVENTION, STATES SHALL HAVE DUE REGARD TO THE RIGHTS AND DUTIES OF THE COASTAL STATE IN THE ECONOMIC ZONE.

ARTICLE 4 (PREVIOUS ART. 14)

1. THE COASTAL STATE SHALL HAVE THE EXCLUSIVE RIGHT TO CONSTRUCT AND TO AUTHORIZE AND REGULATE IN THE ECONOMIC ZONE THE CONSTRUCTION, OPERATION AND USE OF:

- (A) ARTIFICIAL ISLANDS;
- (B) INSTALLATIONS AND STRUCTURES USED FOR PURPOSES SUBJECT TO ITS JURISDICTION UNDER ART. 1;
- (C) INSTALLATIONS AND STRUCTURES USED FOR ANY ECONOMIC PURPOSE;
- (D) INSTALLATIONS AND STRUCTURES WHICH MAY INTERFERE WITH THE EXERCISE OF THE RIGHTS OF THE COASTAL STATE IN THE ECONOMIC ZONE.

2. THE COASTAL STATE SHALL HAVE EXCLUSIVE JURISDICTION OVER SUCH ARTIFICIAL ISLANDS, INSTALLATIONS AND STRUCTURES INCLUDING JURISDICTION WITH REGARD TO CUSTOMS, FISCAL, HEALTH AND IMMIGRATION REGULATIONS.

3. DUE NOTICE MUST BE GIVEN OF THE CONSTRUCTION OF SUCH ARTIFICIAL ISLANDS, INSTALLATIONS OR STRUCTURES, AND PERMANENT MEANS FOR GIVING WARNING OF THEIR PRESENCE MUST BE MAINTAINED. ANY INSTALLATIONS OR STRUCTURES LIMITED OFFICIAL USE
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WHICH ARE ABANDONED OR DISUSED MUST BE ENTIRELY REMOVED.

4. THE COASTAL STATE MAY, WHERE NECESSARY, ESTABLISH REASONABLE SAFETY ZONES AROUND SUCH ARTIFICIAL ISLANDS, INSTALLATIONS/AND STRUCTURES IN WHICH IT MAY TAKE APPROPRIATE MEASURES TO ENSURE THE SAFETY BOTH OF THE ARTIFICIAL ISLANDS, INSTALLATIONS AND STRUCTURES AND OF NAVIGATION.

THE BREADTH OF THE SAFETY ZONES SHALL BE DETERMINED BY THE COASTAL STATE, TAKING INTO ACCOUNT APPLICABLE INTERNATIONAL STANDARDS. SUCH ZONES SHALL BE DESIGNED TO ENSURE THAT THEY ARE REASONABLY RELATED TO THE NATURE AND FUNCTION OF THE ARTIFICIAL ISLANDS, INSTALLATIONS OR STRUCTURES, AND SHALL NOT EXCEED A DISTANCE OF METERS AROUND THEM MEASURED FROM GENERALLY ACCEPTED INTERNATIONAL STANDARDS.

SHIPS OF ALL NATIONALITIES MUST RESPECT THESE SAFETY ZONES AND SHALL COMPLY WITH GENERALLY ACCEPTED INTERNATIONAL STANDARDS REGARDING NAVIGATION IN THE VICINITY OF ARTIFICIAL ISLANDS, INSTALLATIONS, STRUCTURES, AND SAFETY ZONES. DUE NOTICE SHALL BE GIVEN OF THE EXTENT OF SAFETY ZONES.

5. ARTIFICIAL ISLANDS, INSTALLATIONS AND STRUCTURES AND SAFETY ZONES AROUND THEM MAY NOT BE ESTABLISHED WHERE INTERFERENCE MAY BE CAUSED TO THE USE OF RECOGNIZED SEA LANES ESSENTIAL TO INTERNATIONAL NAVIGATION.

6. ARTIFICIAL ISLANDS, INSTALLATIONS AND STRUCTURES
SHALL HAVE NO TERRITORIAL SEA OF THEIR OWN AND THEIR OWN
PRESENCE DOES NOT AFFECT THE DELIMITATION OF THE
TERRITORIAL SEA, OR OF OTHER ZONES OF COASTAL STATE
JURISDICTION OR OF THE CONTINENTAL SHELF.

LIVING RESOURCES

ARTICLE 5 (PREVIOUS ART. 15)

2. IN THE EXERCISE OF ITS SOVEREIGN RIGHTS OVER THE
LIVING RESOURCES IN THE ECONOMIC ZONE THE COASTAL
STATE SHALL ENSURE BY PROPER MANAGEMENT AND CONSER-
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VATION MEASURES THAT THE MAINTENANCE OF THESE RESOURCES
IS NOT ENDANGERED BY OVEREXPLOITATION. IT SHALL
COOPERATE AS APPROPRIATE WITH REGIONAL AND GLOBAL
ORGANIZATIONS TO THIS END. STATES PARTICIPATING IN
SUCH ORGANIZATIONS SHALL ENSURE TO THE EXTENT POSSIBLE
THAT THE ORGANIZATION CONCERNED EXTENDS ITS COOPERATION
TO THE COASTAL STATE IN MANAGEMENT AND CONSERVATION
MATTERS.

2. IN THE EXERCISE OF ITS RIGHT TO DETERMINE THE
ALLOWABLE CATCH AND ESTABLISH OTHER CONSERVATION
MEASURES FOR THE LIVING RESOURCES OF THE ZONE, THE
COASTAL STATE SHALL:

A) ADOPT MEASURES WHICH ARE DESIGNED, ON THE BEST
EVIDENCE AVAILABLE TO THE COASTAL STATE, TO MAINTAIN
OR RESTORE PROPULATIONS OF HARVESTED SPECIES AT LEVELS
WHICH CAN PRODUCE THE MAXIMUM SUSTAINABLE YIELD, AS
QUALIFIED BY RELEVANT ENVIRONMENTAL AND ECONOMIC
FACTORS, INCLUDING THE ECONOMIC NEEDS OF COASTAL
FISHING COMMUNITIES AND THE SPECIAL REQUIREMENTS OF
DEVELOPING COUNTRIES, AND TAKING INTO ACCOUNT FISHING
PATTERNS, THE INTERDEPENDENCE OF STOCKS AS WELL AS
ANY GENERALLY RECOMMENDED REGIONAL OR GLOBAL MINIMUM
STANDARDS.

B) TAKE INTO CONSIDERATION THE EFFECTS ON SPECIES
ASSOCIATED WITH OR DEPENDENT UPON HARVESTED SPECIES
WITH A VIEW TO MAINTAINING OR RESTORING POPULATIONS OF
SUCH ASSOCIATED OR DEPENDENT SPECIES ABOVE LEVELS AT
WHICH THEIR REPRODUCTION MAY BECOME SERIOUSLY THREATENED.

3. AVAILABLE SCIENTIFIC INFORMATION, CATCH AND FISHING
EFFORTS STATISTICS, AND OTHER DATA RELEVANT TO THE
CONSERVATION OF FISH STOCKS SHLL BE CONTRIBUTED AND
EXCHANGED ON A REGULAR BASIS THROUGH REGIONAL AND GLOBAL
ORGANIZATIONS WHERE APPROPRIATE AND WITH PARTICIPATION
BY ALL STATES CONCERNED, INCLUDING STATES WHOSE

NATIONALS ARE ALLOWED TO FISH IN THE ECONOMIC ZONE.

ARTICLE 6 (PREVIOUS ART. 16)

1. IN THE EXERCISE OF ITS SOVEREIGN RIGHTS TO EXPLORE
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AND EXPLOIT, CONSERVE AND MANAGE THE RENEWABLE RESOURCES
IN THE ECONOMIC ZONE AS PROVIDED FOR IN ARTICLE 1 THE
COASTAL STATE SHALL PROMOTE THE OBJECTIVE OF OPTIMUM
UTILIZATION OF THESE RESOURCES WITHOUT PREJUDICE TO
THE PROVISIONS OF ARTICLE 5.

2. THE COASTAL STATE SHALL, THROUGH AGREEMENTS OR
OTHER ARRANGEMENTS AND PURSUANT TO THE TERMS, CON-
DITIONS AND REGULATIONS REFERRED TO IN PARAGRAPH 4,
GIVE OTHER STATES ACCESS TO THAT PART OF THE ALLOWABLE
CATCH WHICH IT DOES NOT HAVE THE CAPACITY TO HARVEST.
THE DETERMINATION OF TH CAPACITY OF THE COASTAL
STATE IN THIS RESPECT SHALL REST WITH THE COASTAL
STATE.

3. IN GRANTING ACCESS TO OTHER STATES TO ITS ECONOMIC
ZONE UNDER THIS ARTICLE, THE COASTAL STATE SHALL TAKE
INTO ACCOUNT ALL RELEVANT FACTORS INCLUDING, "INTER
ALIA," THE SIGNIFICANCE OF THE RENEWABLE RESOURCES OF
THE AREA TO THE ECONOMY OF THE COASTAL STATE CONCERNED
AND ITS OTHER NATIONAL INTERESTS, THE PROVISIONS OF
ARTICLE 8, THE REQUIREMENTS OF DEVELOPING COUNTRIES IN
THE REGION OR SUBREGION IN HARVESTING PART OF THE
SURPLUS AND THE NEED TO MINIMIZE ECONOMIC DISLOCATION
IN STATES WHICH HAVE HABITUALLY FISHED IN THE ZONE OR
HAVE MADE SUBSTANTIAL EFFORTS IN RESEARCH AND IDENTI-
FICATION OF STOCKS.

4. FISHING BY NATIONALS OF OTHER STATES IN THE ECONOMIC
ZONE SHALL COMPLY WITH THE CONSERVATION MEASURES AND
WITH THE OTHER TERMS AND CONDITIONS ESTABLISHED IN THE
REGULATIONS OF THE COASTAL STATE. THESE REGULATIONS
SHALL BE CONSISTENT WITH THE PROVISIONS OF THIS CON-
VENTION AND MAY RELATE, "INTER ALIA," TO THE FOLLOWING:

(A) LICENSING OF FISHERMEN, FISHING VESSELS AND
EQUIPMENT, INCLUDING PAYMENT OF FEES AND OTHER
FORMS OF RENUMERATION; DEVELOPING STATES IN
PARTICULAR MAY REQUIRE ADEQUATE COMPENSATION IN
THE FIELD OF FISHING INDUSTRY FINANCING, EQUIP-
MENT AND FISHERIES TECHNOLOGY;

(B) DETERMINING THE SPECIES WHICH MAY BE
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CAUGHT, AND FIXING QUOTAS OF CATCH, WHETHER IN
RELATION TO PARTICULAR STOCKS OR
COMPLEXES OF STOCKS OR CATCH PER VESSEL OVER A
PERIOD OF TIME OR TO THE CATCH BY NATIONALS OF
ANY STATE DURING A SPECIFIED PERIOD;

(C) REGULATING TIMES AND AREAS OF FISHING, THE
TYPES, SIZES AND AMOUNT OF GEAR, AND THE NUMBERS,
SIZES AND TYPES OF FISHING VESSELS THAT MAY BE USED;

(D) FIXING THE AGE AND SIZE OF FISH AND OTHER
SPECIES THAT MAY BE CAUGHT;

(E) SPECIFYING INFORMATION REQUIRED OF FISHING
VESSELS, INCLUDING CATCH AND EFFORT STATISTICS
AND VESSEL POSITION REPORTS;

(F) REQUIRING, UNDER THE AUTHORIZATION AND CON-
TROL OF THE COASTAL STATE, THE CONDUCT OF SPECIFIED
FISHERIES RESEARCH PROGRAMMES AND REGULATING
THE CONDUCT OF SUCH RESEARCH, INCLUDING THE SAMPLING
OF CATCHES, DISPOSITION OF SAMPLES AND REPORTING
OF ASSOCIATED SCIENTIFIC DATA;

(G) THE PLACING OF OBSERVERS, TRAINEES OR CREW
MEMBERS ON BOARD SUCH VESSELS BY THE COASTAL STATE;

(H) THE LANDING OF ALL OR ANY PART OF THE CATCH
BY SUCH VESSELS IN THE PORTS OF THE COASTAL STATE;

(I) TERMS AND CONDITIONS RELATING TO JOINT
VENTURES OR OTHER COOPERATIVE ARRANGEMENTS;

(J) REQUIREMENTS FOR TRAINING PERSONNEL AND
TRANSFER OF FISHERIES TECHNOLOGY INCLUDING
ENHANCEMENT OF THE COASTAL STATE'S CAPABILITY FOR
UNDERTAKING FISHERIES RESEARCH;

(K) ENFORCEMENT PROCEDURES.

ARTICLE 7 (PREVIOUS ART. 17)

1. STATES SHALL CO-OPERATE, WITHOUT PREJUDICE TO THE
PROVISIONS OF ARTICLES 5 AND 6, IN SEEKING TO ELABORATE
STANDARDS AND GUIDELINES FOR CONSERVATION AND RATIONAL
UTILIZATION OF THE LIVING RESOURCES IN THE ECONOMIC
ZONE, DIRECTLY OR WITHIN THE FRAMEWORK OF APPROPRIATE
INTERNATIONAL FISHERIES ORGANIZATION, WHETHER UNIVERSAL
OR REGIONAL.

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2. WHERE THE SAME STOCK OR STOCKS OF ASSOCIATED SPECIES
OCCUR WITHIN THE ECONOMIC ZONES OF TWO OR MORE COASTAL
STATES, THOSE STATES SHALL SEEK EITHER DIRECTLY OR THROUGH
APPROPRIATE REGIONAL ORGANIZATIONS TO AGREE UPON THE
MEASURES NECESSARY TO COORDINATE AND ENSURE THE CON-
SERVATION AND EQUITABLE ALLOCATION OF SUCH SPECIES,

WITHOUT PREJUDICE TO THE OTHER PROVISIONS OF THIS
CHAPTER.

3. WHERE THE SAME STOCK OR STOCKS OF ASSOCIATED SPECIES
OCCUR BOTH WITHIN THE ECONOMIC ZONE AND IN AN AREA
BEYOND AND ADJACENT TO THE ECONOMIC ZONE, THE COASTAL
STATE AND STATES FISHING FOR SUCH STOCKS IN THE ADJA-
CENT AREA SHALL SEEK TO ENTER INTO REGIONAL, SUB-REGIONAL
OR BILATERAL ARRANGEMENTS REGARDING THE CONSERVATION
OF THESE STOCKS IN THE ADJACENT AREA.

4. COASTAL STATES SHALL GIVE TIMELY NOTICE OF CONSER-
VATION AND MANAGEMENT REGULATIONS.

ARTICLE 8

1. NOTHING IN THIS CONVENTION SHALL PREJUDICE THE RIGHT
OF THE COASTAL STATE TO PERMIT NATIONALS OF OTHER
STATES TO FISH IN ITS ECONOMIC ZONE, WITHOUT PREJUDICE
TO THE PROVISIONS OF ARTICLES 5 AND 6.

2. NEIGHBOURING STATES MAY THROUGH AGREEMENTS OR
OTHER ARRANGEMENTS, AND PURSUANT TO COASTAL STATE
REGULATIONS, ALLOW EACH OTHER'S NATIONALS TO FISH IN
THEIR RESPECTIVE ECONOMIC ZONES ON THE BASIS OF EQUITY
AND TAKING INTO ACCOUNT ALL RELEVANT ECONOMIC AND
GEOGRAPHIC CIRCUMSTANCES.

ARTICLE 9

1. DEVELOPING COASTAL STATES SHALL WHERE APPROPRIATE
NEGOTIATE WITH NEIGHBOURING DEVELOPING GEOGRAPHICALLY
DISADVANTAGED STATES ON A REGIONAL, SUB-REGIONAL OR
BILATERAL LEVEL, CONCERNING THE QUESTION OF ACCESS TO
THE LIVING RESOURCES OF THE ECONOMIC ZONE. SUCH
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NEGOTIATIONS SHALL BE BASED ON PRINCIPLES OF EQUITY
AND SHALL TAKE INTO ACCOUNT ALL RELEVANT ECONOMIC
AND GEOGRAPHIC CIRCUMSTANCES, INCLUDING THE NEED TO AVOID
EFFECTS WHICH WOULD BE DETRIMENTAL TO THE FISHING
COMMUNITIES OF THE COASTAL STATE OR ITS FISHING INDUSTRY.

2. IN CASES WHERE THE GEOGRAPHICAL PECULIARITIES OF
A REGION OF A SUB-REGION MAKE A DEVELOPING STATE
PARTICULARLY DEPENDENT FOR THE SATISFACTION OF THE
NUTRITIONAL NEEDS OF ITS POPULATION UPON PARTICIPATING
IN THE EXPLOITATION OF THE LIVING RESOURCES OF THE
ECONOMIC ZONE OF OTHER DEVELOPING STATES IN THE REGION,
THE COASTAL STATES SHALL NEGOTIATE WITH SUCH STATE
WITH A VIEW TO GRANTING PREFERENTIAL RIGHTS AS APPROPRIATE.

ARTICLE 10

NATIONALS OF DEVELOPING LAND-LOCKED STATES SHALL HAVE ACCESS ON AN EQUITABLE BASIS TO PARTICIPATE IN THE EXPLOITATION OF THE LIVING RESOURCES OF THE ECONOMIC ZONES OF ADJOINING COASTAL STATES. BILATERAL, SUB-REGIONAL OR REGIONAL AGREEMENTS CONCERNING THE MODALITIES OF PARTICIPATION SHALL BE NEGOTIATED.

ARTICLE 12 (PREVIOUS ART. 19)

1. IN THE EXERCISE OF ITS SOVEREIGN RIGHTS OVER THE LIVING RESOURCES IN THE ECONOMIC ZONE, THE COASTAL STATE SHALL REGULATE FISHING FOR HIGHLY MIGRATORY SPECIES LISTED IN ANNEX A. IN ESTABLISHING REGULATIONS THE COASTAL STATE SHALL TAKE INTO ACCOUNT THE BEST SCIENTIFIC EVIDENCE AVAILABLE TO IT WITH RESPECT TO CONSERVATION AND RATIONAL UTILIZATION OF SUCH SPECIES AND SHALL ALSO HAVE REGARD TO THE EFFECTS OF THE HARVESTING ON OTHER LIVING RESOURCES.

2. THE COASTAL STATE SHALL CO-OPERATE DIRECTLY AND THROUGH APPROPRIATE INTERNATIONAL FISHERIES ORGANIZATIONS, WITH OTHER STATES WHOSE NATIONALS FISH HIGHLY MIGRATORY SPECIES IN THE REGION, WITH A VIEW TO ENSURING CONSERVATION AND OPTIMUM UTILIZATION OF SUCH SPECIES. IN
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REGIONS WHERE NO APPROPRIATE INTERNATIONAL ORGANIZATION EXISTS, THE COASTAL STATES AND OTHER STATES WHOSE NATIONALS HARVEST THESE SPECIES IN THE REGION, SHALL ESTABLISH SUCH ORGANIZATION AND SHALL PARTICIPATE IN ITS WORK.

3. ON THE BASIS OF BEST SCIENTIFIC EVIDENCE AVAILABLE AND OTHER RELEVANT INFORMATION, THE ORGANIZATION SHALL FORMULATE STANDARDS WITH RESPECT TO HIGHLY MIGRATORY SPECIES THAT WILL ENSURE, THROUGHOUT THE REGION, CONSERVATION AND OPTIMUM UTILIZATION. TO THIS END THE ORGANIZATIONS CONCERNED SHALL FORMULATE STANDARDS AND RECOMMENDATIONS WITH REGARD TO, INTER ALIA, ALLOWABLE CATCH, EQUITABLE ALLOCATION, ISSUANCE OF PERMITS, A UNIFORM SYSTEM OF FEES AND PENALTIES.

4. IN FORMULATING SUCH STANDARDS AND RECOMMENDATIONS THE ORGANIZATION SHALL TAKE INTO ACCOUNT ALL RELEVANT CIRCUMSTANCES INCLUDING, INTER ALIA, THE EFFECTS ON RELATED OR DEPENDENT SPECIES, THE REQUIREMENTS OF COASTAL STATES VESSELS WHICH FISH ONLY WITHIN THEIR RESPECTIVE ZONES, THE HARVESTING CAPACITY OF COASTAL

STATES OF THE REGION AND THE NEED TO MINIMIZE ECONOMIC DISLOCATION.

5. THE ADOPTION OF STANDARDS AND RECOMMENDATIONS BY THE ORGANIZATION SHALL REQUIRE, IN THE ABSENCE OF AGREEMENT, A TWO-THIRDS MAJORITY, INCLUDING THE VOTES OF ALL COASTAL STATES OF THE REGION PRESENT AND VOTING.

6. TO ACHIEVE UNIFORMITY AND EFFECTIVE CONSERVATION THROUGHOUT THE REGION, THE STATES CONCERNED SHALL ENSURE THAT THEIR LAWS AND REGULATIONS ARE IN CONFORMITY WITH THE STANDARDS FORMULATED BY THE ORGANIZATION, AND TAKE INTO ACCOUNT ITS RECOMMENDATIONS CONCERNING EQUITABLE ALLOCATION.

ARTICLE 13

1. STATES HAVE THE PRIMARY INTEREST IN AND RESPONSIBILITY FOR ANADROMOUS STOCKS ORIGINATING IN THEIR LIMITED OFFICIAL USE
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RIVERS.

2. THE STATE OF ORIGIN OF ANADROMOUS STOCKS SHALL ENSURE THEIR CONSERVATION BY THE ESTABLISHMENT OF APPROPRIATE REGULATORY MEASURES FOR FISHING WITHIN THE OUTER LIMITS OF ITS ECONOMIC ZONE AND FOR FISHING PROVIDED FOR IN PARAGRAPH 3 (B). THE STATE OF ORIGIN MAY, AFTER CONSULTATION WITH OTHER STATES FISHING THESE STOCKS, ESTABLISH TOTAL ALLOWABLE CATCHES FOR STOCKS ORIGINATING IN ITS RIVER.

3. (A) FISHERIES FOR ANADROMOUS STOCKS SHALL BE CONDUCTED ONLY IN WATERS WITHIN THE OUTER LIMITS OF ECONOMIC ZONES, EXCEPT IN CASES WHERE THIS PROVISION WOULD RESULT IN ECONOMIC DISLOCATION FOR A STATE OTHER THAN THE STATE OF ORIGIN.

(B) THE STATE OF ORIGIN SHALL CO-OPERATE IN MINIMIZING ECONOMIC DISLOCATION IN SUCH OTHER STATES FISHING THESE RESOURCES, TAKING INTO ACCOUNT, THE NORMAL CATCH, THE MODE OF OPERATIONS OF SUCH STATES, ALL THE AREAS IN WHICH SUCH FISHING HAS OCCURRED.

(C) STATES REFERRED TO IN SUB-PARAGRAPH (B), PARTICIPATING BY AGREEMENT WITH A STATE OF ORIGIN IN MEASURES TO RENEW AN ANADROMOUS STOCK, PARTICULARLY BY EXPENDITURES FOR THAT PURPOSE, SHALL BE GIVEN SPECIAL CONSIDERATION BY THE STATE OF ORIGIN IN THE HARVEST OF STOCKS ORIGINATING IN ITS RIVERS.

(D) ENFORCEMENT OF REGULATIONS REGARDING ANADROMOUS STOCKS BEYOND THE ECONOMIC ZONE SHALL BE BY AGREEMENT BETWEEN THE STATE OF ORIGIN AND THE OTHER STATES CONCERNED.

4. IN CASES WHERE ANADROMOUS STOCKS MIGRATE INTO OR

THROUGH WATERS WITHIN THE OTHER LIMIT OF THE ECONOMIC
ZONE OF A STATE OTHER THAN THE STATE OF ORIGIN, SUCH
STATE SHALL CO-OPERATE WITH THE STATE OF ORIGIN WITH
REGARD TO THE CONSERVATION AND MANAGEMENT OF SUCH STOCKS.

5. THE STATE OF ORIGIN OF ANADROMOUS STOCKS AND OTHER
STATES FISHING THESE STOCKS, SHALL MAKE ARRANGEMENTS
FOR THE IMPLEMENTATION OF THE PROVISIONS OF THIS
ARTICLE, WHERE APPROPRIATE, THROUGH REGIONAL ORGANIZATIONS.

ARTICLE 14
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1. A STATE IN WHOSE WATERS CATADROMOUS SPECIES SPEND
THE GREATER PART OF THEIR LIFE CYCLE SHALL HAVE
RESPONSIBILITY FOR THE MANAGEMENT OF THESE SPECIES
AND SHALL ENSURE THE INGRESS AND EGRESS OF MIGRATING
FISH.

2. HARVESTING OF CATADROMOUS SPECIES SHALL BE CON-
DUCTED ONLY IN WATERS IN RESPECT OF WHICH THE STATE
MENTIONED IN PARAGRAPH 1, EXERCISES SOVEREIGN RIGHTS
OVER THE LIVING RESOURCES AND SHALL BE SUBJECT TO THE
PROVISIONS OF THIS CONVENTION CONCERNING FISHING IN
SUCH WATERS.

3. WHEN CATADROMOUS FISH MIGRATE THROUGH THE WATERS
OF ANOTHER STATE OR STATES, WHETHER AS JUVENILE OR
MATURING FISH, THE MANAGEMENT OF SUCH FISH SHALL BE
REGULATED BY AGREEMENT BETWEEN THE STATE MENTIONED IN
PARAGRAPH 1 AND THE STATE OR STATES CONCERNED. SUCH
AGREEMENT SHALL ENSURE THE RATIONAL MANAGEMENT OF THE
SPECIES AND TAKE INTO ACCOUNT THE RESPONSIBILITIES OF
THE STATE MENTIONED IN PARAGRAPH 1 FOR THE MAINTENANCE
OF THESE SPECIES. END TEXT. DALE UNQUOTE KISSINGER

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TAGS: PLOS
To: ALGIERS
ANKARA
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BONN
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CAIRO

CANBERRA
DACCA
DAR ES SALAAM
JAKARTA
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